

## REMARKS

Very thanks for Examination's suggestion and thanks for finding some citations about the present invention, thereby, the applicant may know more information about the invention. This case has been carefully reviewed and analyzed in view of the office action. All details of the reference prior arts are fully considered and compared with the present invention.

Responsive to the objections and rejections made of the Examiner in office action. We have amended the specification, claims and abstracts. All the errors disclosed in that office action has been corrected according to the Examiner's indications disclosed in the official action.

Indeed the citations disclose some features of the present invention, and the applicant agrees with these viewpoints, however applicant discovers that some main features of the present invention is not disclosed in the citation which can form the novelty and inventive step of the present invention.

To illustrate the novelty of the present invention and overcome the objection from the citations, the applicant decides to cancel Claims 1 to 12, without prejudice or disclaimer of the subject matter thereof, and add new claim 13. The added new claim 13 is just the copy of the content in the page 3 to 7 of the specification of the present invention. Thus no new matter is added.

In the following we will discuss the novelty of the present invention.

### **(A) For the citation USP 4,872,775**

The new claim 13 defines the whole structure illustrated in Fig. 11 of the present invention. As comparing the present invention with the citation '775, it is shown that the elements 25, 60 and 30 (see Fig. 11) of the present invention are not disclosed by the citation '755. The elements

25, 60 and 30 of the present invention serves to confine the ink reservoir 24 in the housing cap 29. The citation '755 mainly has no element 25, 60 as the present invention. The citation '755 has a spring 35 like the spring 64 of the present invention and a actuator 3 like the element 30 of the present invention, but it lacks the element 24 and 29 of the present invention. Since no these elements, the installation of the pen of the citation '755 is unstable so that it is easily biased as it is used for a longer time.

Furthermore, the citation '755 has no element 29 and no structure like the longitudinal slot 14 of the present invention. Thereby the engagement of the housing 10 to the cover 29 of the present invention is different from the citation '755. In '755, it is illustrated that the hosing 1 is engaged with the cover 3 by fitting the cover 3 into the housing 1 and the cover 3 is confined by the upper edge 2 of the housing 1. Thereby the engagements of the present invention and the citation '755 are different from one another.

Furthermore, the detail structure 40 of the present invention has no any corresponding structure being found in the citation '755. Such as the elements 14, 42, 43, 44, 45, 46 and 47 are not found in the citation.

However from above discussion, it is found that the combination of the present invention is different from the citation '755, and in particular to many detail features cannot found the corresponding elements in the citation '755.

#### **(B) For the citation USP 2,099,268**

The difference of the present invention from this citation '268 is greater than that of the present invention from above citation '755.

The citation '268 has an integral housing 2. It has no corresponding element, such as 20, 10, 29 as the present invention. Furthermore, the detail structure such 40 (including elements 41, 42, 43, 44, 45, 46, 47), 25,

60 (including elements 61, 62, 63, 64) and 30 are not found in the citation '268. Furthermore, the citation '268 has the corresponding element as the cap 29 in the present invention.

However from above discussion, it is found that the structure of the present invention is very different from the citation '268, and in particular to many detail features cannot find the corresponding elements in the citation '755.

#### **(C) For the citation USP 3,963,358**

The difference of the present invention from this citation '358 is greater than that of the present invention from above citation '755.

The new claim 13 defines the whole structure illustrated in Fig. 11 of the present invention. As comparing the present invention with the citation '358, it is shown that the elements 25, 60 and 30 (see Fig. 11) of the present invention are not disclosed by the citation '358. The elements 25, 60 and 30 of the present invention serve to confine the ink reservoir 24 in the housing cap 29. The citation uses a spring 50 to enclose a post 44 (see Fig. 6 of the citation '358). The structure of the citation is different from the present invention. Since no these elements, the installation of the pen of the citation '755 is unstable so that it is easily biased as it is used for a longer time.

Furthermore, the citation '358 has no element 29 and no structure like the longitudinal slot 14 of the present invention. Thereby the engagement of the housing 10 to the cap 29 of the present invention is different from the citation '358. In '358, it is illustrated that the housing 1 is engaged with the cover 3 by fitting the cover 3 into the housing 1 and the cover 3 is confined by the upper edge 2 of the housing 1. Thereby the engagements of the present invention and the citation '358 are different

from one another.

Furthermore, the detail structure 40 of the present invention has no any corresponding structure being found in the citation '358. Such as the elements 14, 42, 43, 44, 45, 46 and 47 are not found in the citation.

However from above discussion, it is found that the combination of the present invention is different from the citation '358, and in particular to many detail features cannot found the corresponding elements in the citation '358.

**(D) For the combination of the three citations USP3,963,358, USP4,872,115, and USP2,099,268**

From above discussion, it is known that the combination of the three citations USP3,963,358, USP4,872,115, and USP2,099,268 still has no features of the elements 25, 60 and 30 (see Fig. 11) of the present invention, the way for engaging the housing 10 to the cap 29 of the present invention, and the detail structure of 40 of the present invention, as discussed above. That is the structure for assembly of the pen of the present invention is different from that at any one or the combination fo the these citations. Thus from these viewpoints, the present invention is novel. The present invention discloses a structure which can not be seen in any prior art.

**(B) RESULT**

Since in above discussion, it is apparent that no prior art has the features of the present invention, especially in new claim 13. Furthermore, as we know that no other prior art has features of the present invention. Thus, the present invention is novel and inventive.

**If there is any error in the specification, or claims, applicant**

**requests and authorizes Examiner to amend the claims, specification and drawings of the present invention so that they can match the requirement of U. S. Patent. Attentions of Examiner to this matter are greatly appreciated.**

It is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectively requested.

Respectfully submitted.

Kuo Ming Mei  
Dated: 03 / 22 /2005

**235 Chung – Ho    Box    8-24**

Taipei    Taiwan    R. O. C.